

UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.
APPROXIMATELY \$42,800 IN U.S.
CURRENCY,

Defendant.

No. 1:20-cv-00727-ADA-EPG

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS THAT PLAINTIFF'S
EX PARTE APPLICATION FOR DEFAULT
JUDGMENT AND FINAL JUDGMENT OF
FORFEITURE BE GRANTED

(Doc. No. 51)

Plaintiff, the United States of America, filed this *in rem* civil forfeiture action against approximately \$42,800.00 in U.S. currency pursuant to 21 U.S.C. § 881(a)(6), on grounds that the currency is a thing of value furnished or intended to be furnished in exchange for a controlled substance or listed chemical, or proceeds traceable to such an exchange, or was used or intended to be used to facilitate one or more violations of 21 U.S.C. § 841, *et seq.* (Doc. No. 1.)

On July 18, 2012, Plaintiff filed a motion for an *ex parte* default judgment against four individuals with potential interests in the currency—Kong Peng Vang, Moua Lee Vang, William Smith Sable, and Choua Vang—and moved for a final judgment of forfeiture against them and a claimant who has been dismissed in this case—Meekeo Sengsavang—to vest in the United States all right, title, and interest in the currency. (Doc. No. 46.) After there was no response to the motion, the assigned magistrate judge entered findings and recommendations on August 24, 2022,

1 recommending that the motion be granted. (Doc. No. 51.)

2 The findings and recommendations permitted fourteen days for objections to be filed. (*Id.*
3 at 11.) To date, no objections have been filed, and the time to do so has expired.

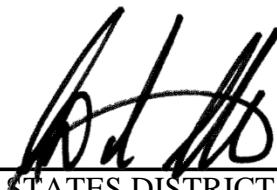
4 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this court has conducted a
5 *de novo* review of this case. Having carefully reviewed the entire file, the court finds the findings
6 and recommendations to be supported by the record and by proper analysis.

7 Accordingly,

- 8 1. The findings and recommendations entered on August 24, 2022 (Doc. No. 51) are
9 adopted in full.
- 10 2. Plaintiff's motion for default judgment against the interests of Kong Peng Vang, Moua
11 Lee Vang, William Smith Sable, and Choua Vang is granted. (Doc. No. 46, *see* Doc.
12 No. 49).
- 13 3. Plaintiff's motion for an entry of final judgment of forfeiture pursuant to 21 U.S.C.
14 § 881(a)(6) is granted. (Doc. No. 46, *see* Doc. No. 49).
- 15 4. The Clerk of Court is directed to enter a default judgment against the interests of Kong
16 Peng Vang, Moua Lee Vang, William Smith Sable, and Choua Vang.
- 17 5. The Clerk of Court is directed to enter final judgment of forfeiture in accordance with
18 this order forfeiting all right, title, and interest in the Defendant currency to the United
19 States.
- 20 6. The Clerk of the Court is directed to close this case.

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22 IT IS SO ORDERED.

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24 Dated: September 23, 2022



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UNITED STATES DISTRICT JUDGE